

FEB. 1. 2006 4:23PM

INSKEEP IP GROUP INC

RECEIVED
CENTRAL FAX CENTER

NO. 0266 P. 1

FEB 01 2006

PATENT

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

2/1/2006
Date

Allie Barrett
Typed or printed name of person signing certificate

Applicant: Schwartz et al.
Serial No.: 10/665,788
Filed: September 17, 2003
Title: SEALED MEMBRANE
VASCULAR COMPLIANCE
DEVICE AND METHOD
Examiner: Snow, Bruce Edward
Group Art Unit: 3738
Docket No.: 20220-502

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RESPONSE TO OFFICE ACTION TRANSMITTAL

Commissioner of Patents
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing are the following:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (1 pg.);
2. Method of payment of fee; and

☒ Attached is Credit Card Payment Form authorizing payment of \$250 for Notice of Appeal filing fee (1pg).

☒ If any additional fees are due, please charge Account 50-2809.

☒ Three Month Extension of Time extending time to February 1, 2006 was previously filed on January 25, 2006.

Respectfully submitted,

Dated:

Feb. 1, 2006

James W. Inskeep, Esq.
Registration No. 33,910

INSKEEP INTELLECTUAL PROPERTY GROUP
2281 W. 190th Street, Suite 200, Torrance, California 90504
Telephone: 310.755.7800 * Facsimile: 310.327.3466
Customer No.: 37,374

FEB. 1. 2006 4:23PM

INSKEEP IP GROUP INC

RECEIVED
CENTRAL FAX CENTER

FEB 01 2006

NO. 0266 P. 2

PTO/SB/31 (04-05)

Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

20220-502

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)).

on February 1, 2006

Signature

Typed or printed
name

Allie Barrett

In re Application of

Schwartz et al.

Application Number
10/665,788

Filed

09/17/2003

For SEALED MEMBRANE VASCULAR COMPLIANCE
DEVICE AND METHOD

Art Unit

3738

Examiner

Snow, Bruce Edward

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$500.00

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$250.00

- ☐ A check in the amount of the fee is enclosed.

02/02/2006 TL0111 00000022 10665788

- ☒ Payment by credit card. Form PTO-2038 is attached.

01 FC:2401

250.00 00

- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2809. I have enclosed a duplicate copy of this sheet.

- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

James W. Inskeep, Esq.

Typed or printed name

- ☒ attorney or agent of record.

Registration number 33,910

310.755.7800

Telephone number

- ☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.

2/1/06

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted. (+Duplicate Copy)

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/31 (04-05)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Docket Number 20220-502

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

20220-502

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on February 1, 2006

Signature

Typed or printed name

Allie Barrett

In re Application of

Schwartz et al.

Application Number
10/665,788

Filed

09/17/2003

For **SEALED MEMBRANE VASCULAR COMPLIANCE
DEVICE AND METHOD**

Art Unit

3738

Examiner

Snow, Bruce Edward

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$500.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$250.00

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2809. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

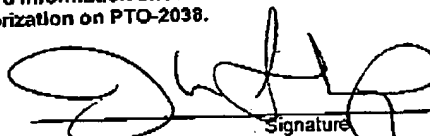
☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 33,910

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____


Signature

James W. Inskeep, Esq.

Typed or printed name

310.755.7800

Telephone number

2/1/06

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted. (+Duplicate Copy)

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.